

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**Town of Cheswold**  
**Minutes of the Monthly Town Council Meeting**  
**Monday – February 5, 2018**  
**6:00 p.m.**  
**Cheswold Town Hall**  
**691 Main Street**  
**Cheswold, Delaware 19936**

The following persons were in attendance:

Vice Mayor Larence Kirby  
Secretary/Treasurer Theon Callender  
Councilperson Judy Johnson  
Councilperson Mark Moxley

Excused: Mayor Robert Sine  
Councilperson Santo Faronea

Police Department: Chief Christopher Workman

Planning Commission: 0      Town Employees: 0      # Residents: 0      Unspecified: 0

**NOTICE:**

Notice of this meeting has been made in accordance with the Delaware Open Meeting Act, by properly posting it on December 18, 2017, on the Town of Cheswold website at: <http://cheswold.delaware.gov>. Copies of the agenda were posted outside the Cheswold Town Hall; in the local Post Office; at the Fox Pointe Management Office and on the Official Web Site for the Town of Cheswold, at <http://cheswold.delaware.gov>; and was filed with the Clerk of the Town of Cheswold on January 28, 2018. Copies of the agenda were available for pick-up at the Town Hall.

**MEETING:**

The meeting was called to order by Vice Mayor Kirby, at 6:00 pm and was immediately followed by the Pledge of Allegiance and a Moment of Silence.

**PROPERLY POSTED:** Based on the dates of the posting of the meeting and the agendas, Vice Mayor SKirby acknowledged that the meeting had been properly posted.

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**ROLL CALL:**

The Mayor requested Secretary Callender to conduct a roll call of Council members and attendance was confirmed as noted above. A quorum of members was presented to the Vice Mayor and the meeting continued.

**AGENDA REVIEW:**

Vice Mayor Kirby requested the Council review the accuracy of the agenda and for a motion to accept as presented or to make changes and amendment requests as needed.

A motion to accept the agenda as revised was made by Councilperson Johnson and seconded by Councilperson Moxley. A roll call vote on the motion resulted in a unanimous vote to approve.

**REVIEW of PREVIOUS'S MONTHS MEETINGS:**

Vice Mayor Kirby requested the Council to review the accuracy of the previous month's minutes and for a motion to accept them as presented or to make changes and amendment requests as needed.

The minutes to be reviewed were as follows:

December 4, 2017 - Monthly Town Council Meeting

January 8, 2018 – Monthly Town Council Meeting

A motion to accept the Monthly Town Council minutes, as presented was made by Councilperson Johnson and Councilperson Noxley made a second to approve the motion.

A roll call vote on the motion resulted in a unanimous vote to approve.

**TREASURER'S REPORT:**

The Vice Mayor requested Council to make any necessary statements or to make a motion to approve the following Treasury Reports, which were read by him:

- a. The Treasurer's Reports for the **Month of December, 2017 and January, 2018**, are as follows:

**Monthly Cash Flow Comparisons**

<b>TOWN of CHESWOLD</b>	<b>December, 2017</b>	<b>January, 2018</b>
<b>Cash Receipts</b>	<b>\$ 7,226.01</b>	<b>\$161,542.53</b>
<b>Cash Disbursements</b>	<b>\$ 62,760.41</b>	<b>\$ 44,429.03</b>
<b>Negative Monthly Cash Flow</b>	<b>(\$ 55,534.40)</b>	<b>\$117,113.59</b>

<b>ADMINISTRATION</b>	<b>December, 2017</b>	<b>January, 2018</b>
Cash Receipts	\$ 2,604.83	\$150,183.15
Cash Disbursements	\$ 30,115.76	\$ 22,201.06
<b>Negative Monthly Cash Flow</b>	<b>(\$ 37,511.33)</b>	<b>\$127,982.09</b>

<b>POLICE DEPARTMENT</b>	<b>December, 2017</b>	<b>January, 2018</b>
Cash Receipts	\$ 0.00	\$ 9,581.48
Cash Disbursements	\$ 17,810.71	\$ 17,044.97
<b>Negative Monthly Cash Flow</b>	<b>(\$ 17,810.71)</b>	<b>(\$ 7,463.49)</b>

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**TREASURER'S REPORT** "continued":

<b>PUBLIC WORKS</b>	<b>December, 2017</b>	<b>January, 2018</b>
Cash Receipts	\$ 4,631.58	\$ 1,777.90
Cash Disbursements	\$ 4,833.95	\$ 5,183.00
<b>Negative Monthly Cash Flow</b>	<b>( \$ 323.35)</b>	<b>( \$ 3,405.10)</b>

c. The Treasurer's Report, **(Account Balances)**, for the **Month of December, 2017 and January, 2018**, is as follows:

<b>As of:</b>	<b>December, 2017</b>	<b>January, 2018</b>
Capital Account	\$ 30,226.21	\$ 30,226.21
Cheswold Heritage Day Account	\$ 3,869.27	\$ 3,869.27
Eide Grant Fund Account	\$ 4,713.00	\$ 3,718.21
Fire Company Account	\$ 41,210.89	\$ 41,214.39
General Fund Account	\$ 224,047.38	\$ 342,892.11
Land Use Applicant's Account	\$ 30,860.50	\$ 30,383.18
Litigation Account	\$ 17,206.03	\$ 14,456.72
Municipal Street Aid Account	\$ 44,549.52	\$ 43,913.30
Salle Grant Fund Account	\$ 3,664.79	\$ 3,664.79

A motion to approve the Treasurers Report was made by Councilperson Johnson. Councilperson Moxley made a second to the motion and a roll call vote on the motion resulted in a unanimous vote to approve.

After the motion was approved Councilperson Johnson asked what were the EIDE and SALLE Grants. Chief Workman explained that they were two grants provided to Police Departments state wide to assist in supplementing the cost of running the department. And as the expenditure of the grant funds were already pre-approved by the oversight committees for the administration of the grants, it is a courtesy to the Town to provide information as to how the funds are expended and to request agreement for the expenditures.

**d. Requisitions -**

<b><u>Req. #</u></b>	<b><u>Department</u></b>	<b><u>Vendor</u></b>	<b><u>Item</u></b>	<b><u>Amount</u></b>	<b><u>To Be Paid By</u></b>
NOTHING TO REPORT					

**e. Proposed Purchases -**

<b><u>P.O. #</u></b>	<b><u>Department</u></b>	<b><u>Vendor</u></b>	<b><u>Item</u></b>	<b><u>Amount</u></b>	<b><u>To Be Paid By</u></b>
Pending	Admin	KCI Engineering	Inventory & Insp.-MS4	\$13,139.00	General Fund
Pending	Admin	RV Engineering	Inventory & Insp.-MS4	\$12,500.00	General Fund

After discussion and consideration of the offer by Remington and Vernick to include a Boundary Map in the total cost of the inventory and inspection, a motion was made by Secretary/Treasurer Callender to approve the proposal submitted by RV Engineering. A second to the motion was made by Councilperson Moxley and a roll call vote resulted in the passage of the motion.

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**TAX COLLECTOR'S REPORT**

**a. Month of December, 2017 and January, 2018**

**TAX REPORT: FISCAL YEAR 2017 – 2018**

Total Amount Billed: \$142,673.80

Payments as of:

<b>Current Year: Past Due Paid:</b>		
07/31/2017	\$ 13,625.28	\$ 672.75
08/31/2017	\$ 99,039.63	\$ 1,467.92
09/30/2017	\$ 4,294.26	\$ 485.02
10/31/2017	\$ 649.17	\$ 66.41
11/30/2017	\$ 665.33	\$ 69.50
12 /31/2017	\$ 1,402.90	\$ 626.53
01/31/2018	\$ 139.20	\$ 15.80

The Tax Report was accepted by the Mayor and Council as presented.

**POLICE DEPARTMENT REPORT** – *Chief Christopher Workman:*

Chief Workman delivered the following reports for the months of Januar and February, 2018, to the Vice Mayor and Council:

**JANUARY, 2018:**

- **New Year**

It's 2018 and the Town of Cheswold Police Department continues to grow and provide services to the community. This year we have received the COPS grant and will be adding a fifth officer to assist in our commitment to excellence and our drive to providing 24 hours of service to the Town. The additions of Nobles Pond, the completion of Parkers Run; the anticipated construction start of Cheswold Village and with businesses beginning to occupy McGinnis Green Shopping Center will expand our responsibilities.

We look forward to the New Year and the opportunities it brings. Stay safe!

- **Training**

The officers of the Cheswold Police Department attended 211 hours of training during the year, for Firearms, AED/CPR, Taser Use, Chiefs Development Seminar and SERVE Intersection Analysis for Police among other things. In 2018, we will continue to focus on specific training in areas in which each officer desires to excel, such as investigations and evidence collection, supervisory and administrative concerns, along with the yearly COPT Requirements and some emphasis on issues associated with the President's Interim Report on 21<sup>st</sup> century Policing, which was released in 2015.

- **Yearly Hours**

Three, (3), officers worked a total of 6503.00 hours for the year of 2017, (443.75 hours more than 2016), and of that total amount, officers worked 174.5 hours of overtime and 68.5 hours of compensatory time. Officers used 239 hours, of vacation hours, (an increase of 80.0 hours over 2016); 0 sick hours, (a decrease of a 110.0 hours in 2016); 48 personal time hours; 80 Holiday hours and 44.5 compensatory hours, an increase of 13.5 hours from 2016.

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**POLICE DEPARTMENT REPORT – “continued”**

- **Traffic Summons –**  
 Officers issued 89 traffic summonses during the month of December.
- **Police Statistics 2013 - 2017**  
 Police Statistics for the years 2013 – 2017, are available upon request from the Police Department.
- **Monthly Activity Report -**  
 Officers responded to or completed reports for 91 Incidents for the month of December, 2017.
- **Monthly Incident Report – December, 2017**

911 Disconnects = 3	Fireworks = 0	Rape = 0
Accidents-H/R = 1	Fraud = 1	Relay = 0
Accidents-PD = 1	Fugitives = 10	Repossessions = 1
Accidents PI= 2	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 7	Lost Property = 0	Sex Crimes = 2
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 0	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 3	Megan's Law = 1	Stolen Vehicle = 0
Assist Other Agencies = 8	Mental Patient = 0	Suspicious Noise = 0
BOLO = 1	Misc. Investigation = 0	Suspicious Person/s = 4
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 0
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 1	Offensive Touching = 0	Thefts = 2
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 2
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 1
Criminal Mischief = 0	Overdose = 0	Trespass = -1
Curfew = 0	Parking Violation = 0	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 3	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0
Disorderly = 3	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 2	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 8	Property Checks = 7	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 2	Warrant Service 0
DUI = 1	Public Assistance = 3	Weapon – Gun = 0
Fight = 1	Pursuit = 0	Welfare Check = 5

**IF YOU DON'T CALL WHO WILL – CALL 9-1-1**

The Police Department Report was accepted as presented.

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**FEBRUARY, 2018:**

- **COPS Grant**  
 Unfortunatley due to time constraints we will have to re-open the hiring process to fill the COPS Grant position through re-testing inorder to have a certified candidate available for training in September, 2018.
- **SALLE 2017 Grant**  
 The Department is in the process of closing the 2017 grant.
- **New Dodge**  
 The Department continues to work on finding funding to complete the outfitting of the new dodge and should have it ready for service shortly.
- **Crown Vic**  
 This car is currently totally out of service and inoperable. The Department will be stripping out the electronics and making it available for sale in the coming months, at the approval of the Council.
- **Traffic Summons –**  
 Officers issued 163 traffic summonses during the month of January.
- **Monthly Activity Report -**  
 Officers responded to or completed reports for 84 Incidents for the month of January, 2018. A total of eleven, (11), incidents were handled by outside agencies after hours or not dispatched.
- **Monthly Incident Report – January, 2018**

911 Disconnects = 9	Fireworks = 0	Rape = 0
Accidents-H/R = 0	Fraud = 1	Relay = 0
Accidents-PD = 2	Fugitives = 4	Repossessions = 3
Accidents PI= -	Harassment = 0	Resisting Arrest = 0
AED/CPR = 0	Lock Jock = 0	Robberies = 0
Alarms = 3	Lost Property = 0	Sex Crimes = 0
Alcohol Violations = 0	Lost/Stolen Tag = 0	Shoplifting = 0
Animal Complaints = 0	Loud Party = 0	Shots Fired = 0
Assaults = 0	Medical Transport = 0	Solicitation = 0
Assigned in Error = 1	Megan's Law = 0	Stolen Vehicle = 0
Assist Other Agencies = 14	Mental Patient = 0	Suspicious Noise = 0
BOLO = 0	Misc. Investigation = 0	Suspicious Person/s = 1
Burglary = 0	Missing Person = 0	Suspicious Vehicle/s = 0
Burning = 0	Noise Complaint = 0	Terroristic Threat/s = 0
Check on Welfare = 0	Offensive Touching = 0	Thefts = 1
Civil Dispute = 0	Open Burning = 0	Traffic Hazards = 0
Court Violation = 0	Open Door/Window = 0	Traffic Hazard/Service = 2
Criminal Impersonation = 0	Ordinance Violation = 0	Traffic Violations = 13
Criminal Mischief = 0	Overdose = 0	Trespass = -1
Curfew = 0	Parking Violation = 2	Unassigned = 0
Custody Dispute = 0	Pay Job/Special Duty = 3	Unfounded = 0
Death Investigation = 0	Pedestrian Stop = 0	Vehicle/s – Abandoned = 0

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Disorderly = 0	PFA Service = 0	Vehicle/s – Disabled = 0
Domestics = 3	PFA Violation = 0	Vehicle/s – Recovered = 0
Drugs = 5	Property Checks = 10	Vehicle/Unauthzd Use = 0
Dumping = 0	Psychiatric Incident = 0	Warrant Service 0
DUI = 0	Public Assistance = 7	Weapon – Gun = 0
Fight = 1	Pursuit = 0	Welfare Check = 0

**IF YOU DON'T CALL WHO WILL – CALL 9-1-1**

**PUBLIC WORKS REPORT** – Secretary/Treasurer Sam Callender

- **Status Report** – The report was not submitted in time for the meeting.:

	<b><u>PERMITS ISSUED</u></b>	<b><u>NEW VIOLATIONS</u></b>	<b><u>CLOSED VIOLATIONS</u></b>	<b><u>BUSINESS LICENSES ISSUED</u></b>	<b><u>BUILDING INSPECTIONS</u></b>
January, 2018	2	3	3	5	2

- **CODE ENFORCEMENT PROPERTIES**

- **30 New Street** – Receipt of certified mail by the owners of record that the property needs to be cleared and if not completed by March 31, 2018, the Council will take action to demolish the building and take the property.

Have received two, (2), demolition estimates:

- **Sunnyfield Construction - \$8,750.00**

If asbestos abatement survey is required additional - \$600.00

If asbestos is present additional - \$1,000.00

Could total - **\$10,350.00**

- **Gateway Construction - \$16,800.00**

Asbestos abatement survey and potential removal are included in estimated cost.

**Note:** The above estimates are from 2016. If a decision is made to demolish 30 New Street, new estimates would have to be obtained. . **PENDING**

- **33 New Street** – Grass violation. Received contact from property owner, Doug Wiseman's wife, however, she does not have the authority to act on his behalf. Council should consider placing a lien on the property. **PENDING**
- **37 Jessica Lyn Drive** – Property had a preliminary inspection to determine the scope of work being done in the basement and whether a permit is required. **IN PROGRESS**
- **176 Boggs Run** – A demolition permit was issued on the property to begin abating the violation and the property subsequently failed an inspection by the Town Building Inspector and Code Enforcement Officer. The property remains condemned. **PENDING**
- **179 Commerce Street** – The property demolition phase has been completed and is now entering the reconstruction phase. After speaking with the contractor, the meeting with a structural engineer seems to have yielded positive results and plans are being drawn to bring the structure into compliance. **PENDING**

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**Old Business:**

- a. **Continued Review of Ordinance 05-04-15-009 Residential Rental Property Registration and Permitting** – final revisions have been completed and forwarded to Mr. Max Walton, Town Attorney for review, direction and suggestions for change if required. **RESPONSE PENDING**

b. **Status of Pending Projects:**

1. **Town Charter Update – Vice Mayor Kirby**

**Section 2 – Current Territorial Limits**

**From:** Remove entire written description of territorial limits

**To: Section 2 - Metes and Bounds**

The boundaries of the Town of Cheswold are hereby established and declared as recorded on the official map of record in the Recorder of Deeds Office for Kent County of the the State of Delaware as presently existing and as hereinafter amended.

A motion was made by Councilperson Moxley to approve and include the suggested TO version, written above in the final submission of changes to the Town of Cheswold Town Charter. A second to the motion was made by Secretary/Treasurer Callender and a roll call vote resulted in the unanimous passage of the motion.

**Section 5.2.1– General**

**From:** Candidates for the Town Council must be at least 21 years of age , hse been a bonafide domiciliary of the Town for a period of at least one year immediately prior to the date of the election, and otherwise qualified to vote at the annual Town election as provided in 5.4.2. No person having been convicted of a felony or a crime of moral turpitude shall be qualified to be a candidate for office on the Town Council.

**To: Section 5.2.1 – GenerA;**

Candidates for the Town Council must be at least 21 years of age , hse been a bonafide domiciliary of the Town for a period of at least, (1), one year immediately prior to the date of the election, and otherwise qualified to vote at the annual Town election as provided in Section 5.4.2., of this Charter. No person having been convicted of a felony shall be qualified to be a candidate for office on the Town Council.

A motion was made by Secretary/Treasurer Callender to approve and include the suggested TO version, written above in the final submission of changes to the Town of Cheswold Town Charter. A second to the motion was made by Councilperson Moxley and a roll call vote resulted in the unanimous passage of the motion.

**New Business:**

1. **DFIT Insurance Rebate**

Mrs. Callender, Secretary/Treasurer, informed the Vice Mayor and Council that the Town was in receipt of a \$1200 insurance rebate from the municipal insurance consortium to which the Town belongs. She requested that the Town use the unexpected funds to purchase new pole hanging Christmas decorations. A motion was made by Councilperson Johnson to approve the request submitted by Mrs. Callender and Councilperson Moxley made a second to the motion. A roll call vote passed the motion.

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**New Business:** *"continued"*

**2. 2018 Town Council Elections**

The Council discussed the parameters of the 2018 Town Council Elections and the need to acquire at least three, (3), new members. If more than 3 applicants apply, then we may be able to have an election this year. The three, (3), Councilpersons up for re-election are:

**Vice Mayor\* Larence Kirby**  
**Secretary/Treasurer\* Sam Callender**  
**Councilperson Mark Moxley**

It is worth noting that the positions currently held by Mr. Kirby and Mrs. Callender will be appointed by the Mayor at the April organizational meeting. Obtaining a place on Council in lieu of either of these current members does not mean that a person will be assigned into these positions. **PENDING**

**COMMUNITY COMMENTS:** Nothing to Report

**COUNCILPERSON COMMENTS:**

**Vice Mayor Larence Kirby** – Thanked the Council for attending and for the work being done for the Town and ensured them that if he is re-elected he looks forward to continuing to work with them.

**Secretary/Treasurer Theon Callender** – Informed Vice Mayor and Council that she would like to be excused from the March and April Council meetings as she was leaving for vacation on February 6.

**Councilperson Judith Johnson** – asked if 179 Commerce Street was going to be torn down. (This question was asked prior to receiving the Public Works report indicating that the structure will probaby be rehabbed). Mrs. Callender explained that a structural engineering report was pending and that if 50% of the building had to be restored then the owner would have to adhere to the current Land Use regulations which will require the building to be a one family home instead of an apartment building.

**Councilperson Santo Faronea** – Nothing to Repot

**Councilperson Mstk Moxley**– Nothing to Report.

**MAYOR'S COMMENTS:**

Nothing to Report - Excused

**Motion to Adjourn**

A motion was made by Councilperson Callender, seconded by Councilperson Johnson to adjourn at 6:43 p.m. A roll call vote on the motion resulted in a unanimous vote to approve. The meeting adjourned immediately thereafter.

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